



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/915,016	07/25/2001	Clifton T. Jones	PW 53403 272575

CONFIRMATION NO. 5170

## FORMALITIES LETTER



\*OC000000007410779\*

Pillsbury Winthrop LLP  
Intellectual Property Group  
50 Fremont Street  
San Francisco, CA 94105

Date Mailed: 02/01/2002

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5:04C  
03COX

Applicant: Clifton T. Jones  
Serial No. 09/915,016  
Filed: July 25, 2001  
For: SYSTEM AND METHOD OF  
SERVING DATA MESSAGES  
Art Unit: 2681  
Examiner: Unknown

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attn: Petitions  
Assistant Commissioner for Patents  
Washington, DC 20231, on this date

2/25/02 Kim A. Cabello  
Date Kim A. Cabello

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: Petitions

COPY OF PAPERS  
ORIGINALLY FILED

Sir:

Transmitted herewith for filing are the following:

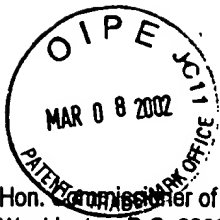
1. Petition Under 37 C.F.R. §1.53(e)(2) Responsive to Notice of Incomplete Nonprovisional Application (in duplicate);
2. Notice of Incomplete Nonprovisional Application (Part 2);
3. Copy of application and supporting papers as originally filed on July 25, 2001;
4. Copy of return postcard, stamped as received by the United States Patent and Trademark Office;
5. Check in the amount of \$130.00 to cover the Petition fee; and
6. Return Postcard.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account 03-3975. A duplicate of this Transmittal is enclosed.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By Victor J. Castellucci  
Victor J. Castellucci  
Registration No. 43,535

Dated: 2/25/02  
Attorney Docket No. 053403-0272575  
Address all correspondence to:  
50 Fremont Street  
San Francisco, CA 94105  
Telephone (415) 983-1000  
E-mail: vjcastellucci@pillsburywinthrop.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING NATIONAL PATENT APPLICATION  
Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

Hon. Commissioner of Patents  
Washington, D.C. 20231

WITH SIGNED DECLARATION

NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE

Sir:

Herewith is the PATENT APPLICATION of  
Inventor(s): Clifton T. Jones

Title SYSTEM AND METHOD OF SERVING DATA MESSAGES

Atty. Dkt.: PW 53403 | 272575  
M# Client Ref

including:

Date: July 25, 2001

1. Specification: 18 pages (only spec. and claims) 2. ☐ Specification in non-English language  
3. Declaration ☒ Original ☐ Facsimile/Copy ☒ Abstract 1 page(s); 28 Numbered claims  
4. ☒ Drawings: 5 sheet(s) ☒ Informal; ☐ formal of size: ☐ A4 ☐ 11"  
5. ☐ See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete corresponding item 5 or 6). (Prior M# SN )  
6. AMEND the specification please by inserting before the first line: -- This is a ☐ Continuation-in-Part  
☐ Divisional ☐ Continuation ☐ Substitute Application (MPEP 201.09) of:  
6(a) ☐ National Appln. No. / filed (M# )  
6(b) ☐ International Appln. No. filed  
which designated the U.S., and that International Application ☐ was ☐ was not published under PCT Article 21(2) in English.--  
7. ☐ AMEND the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. 60/ , filed --  
8. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.  
9. ☐ Prior application is assigned to

by Assignment recorded Reel Frame

10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

11. (country)

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	
(7)		(8)	
(9)		<input type="checkbox"/> See 3 <sup>rd</sup> page for additional priorities	

12. (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) filed on  
in U.S. Application No. /  
13. Small entity status ☐ is not claimed; ☒ is claimed (Pre-filing confirmation required)  
13(a) ☒ Attached: 1 (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)  
13(b) ☐ See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(4)	
(2)		(5)	
(3)		(6)	

15. ☐ This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.
16. ☒ Attached: Declaration and Power of Attorney; Assignment; Assignment Cover Sheet; Check in the Amount of \$547.00; and Return Postcard
17. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
18. Basic Filing Fee				\$710/\$355	\$355	101/201
19. Total Effective Claims	28	minus 20 =	*8	x \$18/\$9 =	+ 72	103/203
20. Independent Claims	5	minus 3 =	*2	x \$80/\$40 =	+ 80	102/202
*If answer is zero or less, enter "0"						
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$270/\$135	+ 0	104/204
22. TOTAL FILING FEE ENCLOSED =					\$507	
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0	139
24. If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 40	581
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				+ \$130	+ 0	122
26. TOTAL FEE ENCLOSED =					\$547	

Our Deposit Account No. 03-3975  
Our Order No. 53403

C# 272575 M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

By Atty: Victor J. Castellucci

Reg. No. 43,535

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VJC/KAC

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NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments